

From: [Rafael Casanova](#)
To: [Anne Foster](#)
Cc: [Garyg Miller](#); [Dipanjana Bhattacharya](#); [Susan Roddy](#); [Carlos Sanchez](#); [Mark Peycke](#)
Subject: Re: Gulfco - Summary of Conference Call with HQs on 8/31/11
Date: 09/01/2011 11:29 AM

Anne, I spoke with Gary yesterday and recommended that we set up a conference call to discuss this before I begin to amend the Draft ROD.

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Assigned Sites for Investigation and Remediation:
(<http://www.epa.gov/earth1r6/6sf/6sf-tx.htm>):
Brine Service Company Superfund Site (Corpus Christi, Texas)
Donna Canal and Reservoir Superfund Site (Donna, Texas)
Falcon Refinery Superfund Site (Ingleside, Texas)
Many Diversified Interests, Inc. Superfund Site (Houston, Texas)
Palmer Barge Line Superfund Site (Port Arthur, Texas)
State Marine of Port Arthur Superfund Site (Port Arthur, Texas)

▼ Anne Foster---09/01/2011 10:51:04 AM---Have we elevated this issue? The state does not have either the money or the will to take care of

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Date: 09/01/2011 10:51 AM
Subject: Re: Gulfco - Summary of Conference Call with HQs on 8/31/11

Have we elevated this issue? The state does not have either the money or the will to take care of the ICs or anything else. The course Headquarters wants us to take is not protective. If there is an opportunity to elevate, I think we should.

Thanks.

▼ Rafael Casanova---08/31/2011 03:40:24 PM---Hello all, Carlos asked me to forward the following summary of the conference call we had with HQs t



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From: Rafael Casanova/R6/USEPA/US
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Roddy/R6/USEPA/US@EPA
Cc: Carlos Sanchez/R6/USEPA/US@EPA
Date: 08/31/2011 03:40 PM
Subject: Gulfco - Summary of Conference Call with HQs on 8/31/11

Hello all, Carlos asked me to forward the following summary of the conference call we had with HQs today. We need to discuss these issues ASAP in order to achieve construction completion this FY.

It appears that the only way we will be able to achieve construction completion this FY is by selecting a "No Further Action is Necessary" ROD, taking into account the previous action(s) at the Site (I am assuming we can "take credit" for the State's actions as well). Additionally, HQs states that the cap over the former surface impoundments and ICs for Lots 55, 56, and 57, at the North Area, are not our remedy components (they are a component of the State's remedy) and should not be included in the ROD as components of the Selected Remedy for the Site. HQs also states that by addressing Vapor Intrusion (VI) we would also have to address the "principal threat wastes" (i.e., NAPL). They believe that the evidence points to the fact that NAPL is present in the ground water. HQs also stated that we need to include additional information on the previous actions conducted at the Site, although it is already included in the ROD.

The "No Further Action is Necessary" ROD can still include ground water monitoring in the North Area, but through the Five-Year Reviews. ICs cannot be a component of the selected remedy for the North Area. They will get back to us on the issue of including ICs for the South Area, where we performed the Removal Action, which would address commercial/industrial land use. They will also verify whether we need to perform the nine criteria analysis for the ICs in the South Area. They also stated that no O&M would be required; however, this is confusing because HQs has recently stated, for another Site, that ICs are considered O&M. Additionally, we need to make a defensible arguments that VI is not a risk that should be addressed through a Remedial Action. These arguments could be that there are no receptors and develop uncertainties in the risk assessment(s) to address this, or that we do not anticipate any development at the North Area due to its location, and that if any development (e.g., a building) did occur it would not consist of a slab foundation due to the location of the North Area (e.g., wetland).

Also, Carlos and I believe that we can state in the ROD that we are selecting a modified Alternative 1 (No Action), which is the "No Further Action is Necessary" remedy decision based on the previous actions at the Site.

I am available any time tomorrow to discuss these issues and any additional items that may or may not be issues for the "No Further Action is Necessary" decision (e.g., amended feasibility study, additional public notice, etc.).

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